

ESTTA Tracking number: **ESTTA642483**Filing date: **12/03/2014**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	Prudential Insurance Company of America
Granted to Date of previous extension	12/03/2014
Address	751 Broad Street Newark, NJ 07102 UNITED STATES

Attorney information	Amy Brozenic Lathrop & Gage LLP 10851 Mastin Blvd. Bldg. 82, Suite 1000 Overland Park, KS 66210 UNITED STATES abrozen- ic@lathropgage.com, ipdocketing@lathropgage.com, tmuellet@lathropgage.com, jpellant@lathropgage.com Phone: 913-451-5100
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Applicant Information

Application No	86184144	Publication date	08/05/2014
Opposition Filing Date	12/03/2014	Opposition Period Ends	12/03/2014
Applicant	Bank, Daryl 2710 SW Port St. Lucie Blvd. Port St. Lucie, FL 34953 UNITED STATES		

Goods/Services Affected by Opposition

Class 014. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Diamonds; Cut diamonds
Class 035. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Operating on-line marketplaces featuring precious stones; Compilation, analysis and provision of information relating to the trading of precious stones; Commercial and industrial management assistance, in particular by means of multimedia platforms in the field of online trading; Providing business administration assistance for others in the field trading in precious stones; Dissemination of business and commercial information in the field trading of precious stones via Internet and online forum facilities; providing an electronic marketplace for the trading of precious stones; Providing on line electronic computer databases which provide subscribers with trade information in the field of precious stones
Class 036. First Use: 0 First Use In Commerce: 0 All goods and services in the class are opposed, namely: Commodities exchange services; Financial asset management and investment services, namely trading, hedging, providing valuation, and financial research and consulting services in the field of precious stones; financial services, namely, commodity trading; financial asset management and brokerage services all relating to commodities; finan-

cial information services provided online from a computer database or a global computer network, namely, providing information on trading in the field of precious stones; Commodity trading; providing information and data in the field of financial risk management and trading; commodity trading for others, namely, trading in precious stones; Providing financial administration in the field trading in precious stones; financial services, namely, on-line real time trading of precious stones; financial analysis and research services


Class 042. First Use: 0 First Use In Commerce: 0


All goods and services in the class are opposed, namely: Industrial research and analysis in the field of trading of precious stones; providing information about computer software for use in the field of precious stones exchange trading; electronic storage and retrieval of information relating to the trading of precious stones; authentication in the field of precious stones traded via commodities exchanges

Grounds for Opposition


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)


Marks Cited by Opposer as Basis for Opposition

U.S. Registration No.	792738	Application Date	08/10/1964
Registration Date	07/13/1965	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1964/06/01 First Use In Commerce: 1964/06/01 PROVIDING INDIVIDUAL AND GROUP LIFE AND HEALTH INSURANCE PROTECTION, AND ANNUITIES		
U.S. Registration No.	961764	Application Date	04/20/1972

Registration Date	06/19/1973	Foreign Priority Date	NONE
Word Mark	"OWN A PIECE OF THE ROCK"		
Design Mark	<p style="text-align: center;">"OWN A PIECE OF THE ROCK"</p> 		
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1970/06/00 First Use In Commerce: 1970/06/00 PROVIDING INDIVIDUAL AND GROUP LIFE AND SICKNESS AND ACCIDENT INSURANCE PROTECTION AND ANNUITIES		

U.S. Registration No.	961765	Application Date	04/20/1972
Registration Date	06/19/1973	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class U102 (International Class 035, 036). First use: First Use: 1896/00/00 First Use In Commerce: 1896/00/00</p> <p>PROVIDING ALL FORMS OF INSURANCE PROTECTION INCLUDING LIFE, HEALTH, ANNUITIES, [PROPERTY AND CASUALTY] AND REINSURANCE; ALSO ADMINISTRATIVE SERVICES, CORPORATION FINANCING AND MORTGAGE LENDING SERVICES, SERVICES IN CONNECTION WITH INVESTMENTS, SECURITIES AND REAL ESTATE AND OTHER ACTIVITIES ENGAGED IN BY THE COMPANY DIRECTLY OR THROUGH SUBSIDIARIES</p>		
U.S. Registration No.	1121163	Application Date	02/07/1977
Registration Date	06/26/1979	Foreign Priority Date	NONE
Word Mark	NONE		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 1976/09/11 First Use In Commerce: 1976/09/11 PROVIDING ALL FORMS OF INSURANCE PROTECTION AND SERVICES INCIDENTAL THERETO, INCLUDING LIFE, HEALTH, ANNUITIES, AND PENSION AND PROFIT SHARING FUNDS, PROPERTY AND CASUALTY AND REINSURANCE; ALSO INDEPENDENT ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED IN THE NORMAL CONDUCT OF ITS INSURANCE OR ANNUITY OPERATIONS INCLUDING CONSULTATIVE, ACTUARIAL, DATA PROCESSING, ACCOUNTING AND CLAIMS SERVICES; CORPORATION FINANCING AND MORTGAGE LENDING SERVICES; AND INVESTMENT SERVICES INCLUDING THE PURCHASE AND SALE OF REAL ESTATE AND SECURITIES IN CONNECTION WITH FUND MANAGEMENT; ALL OF WHICH ARE ENGAGED IN BY THE APPLICANT DIRECTLY OR THROUGH SUBSIDIARIES

U.S. Registration No.	1108211	Application Date	09/14/1977
Registration Date	12/05/1978	Foreign Priority Date	NONE
Word Mark	PIECE OF THE ROCK		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1971/05/22 First Use In Commerce: 1971/05/22 UNDERWRITING LIFE [, HEALTH, AUTOMOBILE AND HOME] INSURANCE		


U.S. Registration No.	1443528	Application Date	11/13/1986
Registration Date	06/16/1987	Foreign Priority Date	NONE
Word Mark	THE ROCK		

Design Mark	
Description of Mark	NONE
Goods/Services	<p>Class 035. First use: First Use: 1986/10/14 First Use In Commerce: 1986/10/14 [ADMINISTRATIVE SERVICES, NAMELY DATA PROCESSING AND ACCOUNTING SERVICES FOR OTHERS]</p> <p>Class 036. First use: First Use: 1971/06/21 First Use In Commerce: 1971/06/21 INSURANCE UNDERWRITING, ADMINISTRATION AND AGENCY SERVICES FOR LIFE, HEALTH, ANNUITIES, PENSION AND PROFIT SHARING FUNDS, PROPERTY AND CASUALTY AND REINSURANCE; INDEPENDENT ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED IN THE NORMAL CONDUCT OF INSURANCE OR ANNUITY OPERATIONS, NAMELY CONSULTATIVE, ACTUARIAL AND CLAIMS SERVICES; CORPORATION FINANCING; MORTGAGE ORIGINATION AND ADMINISTRATION; PRIVATE AND PUBLIC SALES OF LOANS AND LOAN PORTFOLIOS; REAL ESTATE LEASING AND MANAGEMENT; AGRICULTURAL INVESTMENT; PORTFOLIO ASSET MANAGEMENT; THE PURCHASE AND SALE OF REAL ESTATE, SECURITIES AND COMMODITIES FOR OTHERS OR IN CONNECTION WITH FUNDMANAGEMENT; AND SECURITIES AND COMMODITIES BROKERAGE SERVICES AND UNDERWRITING SERVICES</p> <p>Class 037. First use: First Use: 1986/10/14 First Use In Commerce: 1986/10/14 REAL ESTATE DEVELOPMENT SERVICES, NAMELY PLANNING, LAYING OUT AND CONSTRUCTION OF REAL ESTATE FOR OTHERS</p>


U.S. Registration No.	1443527	Application Date	11/13/1986
Registration Date	06/16/1987	Foreign Priority Date	NONE
Word Mark	ROCK SOLID		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1986/10/14 First Use In Commerce: 1986/10/14 ADMINISTRATIVE SERVICES, NAMELY, DATA PROCESSING AND ACCOUNTING SERVICES FOR OTHERS</p> <p>Class 036. First use: First Use: 1985/07/12 First Use In Commerce: 1985/07/12 INSURANCE UNDERWRITING, ADMINISTRATION AND AGENCY SERVICES FOR LIFE, HEALTH, ANNUITIES, PENSION AND PROFIT SHARING FUNDS, PROPERTY AND CASUALTY AND REINSURANCE; INDEPENDENT ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED IN THE NORMAL CONDUCT OF INSURANCE OR ANNUITY OPERATIONS, NAMELY CONSULTATIVE, ACTUARIAL AND CLAIMS SERVICES; CORPORATION FINANCING; MORTGAGE ORIGINATION AND ADMINISTRATION; PRIVATE AND PUBLIC SALES OF LOANS AND LOAN PORTFOLIOS; REAL ESTATE LEASING AND MANAGEMENT; AGRICULTURAL INVESTMENT; PORTFOLIO ASSET MANAGEMENT; THE PURCHASE AND SALE OF REAL ESTATE, SECURITIES AND COMMODITIES FOR OTHERS OR IN CONNECTION WITH FUNDMANAGEMENT; AND SECURITIES AND COMMODITIES BROKERAGE SERVICES AND UNDERWRITING SERVICES</p> <p>Class 037. First use: First Use: 1986/10/14 First Use In Commerce: 1986/10/14 [REAL ESTATE DEVELOPMENT SERVICES, NAMELY PLANNING, LAYING OUT AND CONSTRUCTION OF REAL ESTATE FOR OTHERS]</p>		

U.S. Registration	1452524	Application Date	02/02/1987
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No.			
Registration Date	08/11/1987	Foreign Priority Date	NONE
Word Mark	ROCK SOLID. MARKET WISE.		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 1986/07/03 First Use In Commerce: 1986/07/03 FINANCIAL SERVICES, NAMELY PROVIDING INVESTMENT BANKING, MERCHANT BANKING, FINANCIAL MANAGEMENT, INVESTMENT MANAGEMENT, MUTUAL FUNDS AND FUND INVESTMENTS, AND FIDUCIARY SERVICES FOR OTHERS; SECURITIES AND COMMODITIES BROKERAGE AND UNDERWRITING SERVICES; CAPITAL INVESTMENT SERVICES, NAMELY PROVIDING AND ORGANIZING FUNDS FOR CAPITAL INVESTMENTS FOR OTHERS; FINANCIAL CLEARINGHOUSE SERVICES, NAMELY TRADING SECURITIES FOR OTHERS PURSUANT TO FULLY DISCLOSED CLEARING AGREEMENTS; FINANCING SERVICES, NAMELY PROVIDING AND ARRANGING FOR FUNDS FOR OTHERS FOR THE PURCHASE OF REAL AND PERSONAL PROPERTY; MARGIN FINANCING SERVICES, NAMELY EXTENDING SECURED LOANS TO OTHERS FOR THE PURPOSE OF PURCHASING SECURITIES; AND INSURANCE AGENCY SERVICES		

U.S. Registration No.	1616000	Application Date	05/10/1989
Registration Date	10/02/1990	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 035. First use: First Use: 1989/01/00 First Use In Commerce: 1989/01/00 ADMINISTRATIVE SERVICES, NAMELY DATA PROCESSING IN THE FIELD OF INSURANCE CLAIMS ADMINISTRATION AND ACCOUNTING SERVICES FOR OTHERS; AND REAL ESTATE BROKERAGE FRANCHISE SERVICES, NAMELY, OFFERING TECHNICAL ADVICE AND ASSISTANCE TO OTHERS IN THE ESTABLISHMENT AND OPERATION OF REAL ESTATE BROKERAGES</p> <p>Class 036. First use: First Use: 1989/01/02 First Use In Commerce: 1989/01/02 INSURANCE UNDERWRITING, ADMINISTRATION AND AGENCY SERVICES FOR LIFE, HEALTH, ANNUITIES, PENSION AND PROFIT SHARING FUNDS,</p>		

	<p>PROPERTY AND CASUALTY AND REINSURANCE; INDEPENDENT ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED IN THE NORMAL CONDUCT OF INSURANCE OR ANNUITY OPERATIONS, NAMELY CONSULTATIVE, ACTUARIAL AND CLAIMS SERVICES; CORPORATION FINANCING SERVICES; MORTGAGE LENDING, ORIGATION AND ADMINISTRATION SERVICES; PRIVATE AND PUBLIC SALES OF LOANS AND LOAN PORTFOLIOS; BANKING SERVICES; CREDIT CARD AND DEBIT CARD SERVICES; REAL ESTATE LEASING, BROKERAGE AND MANAGEMENT SERVICES; INVESTING THE FUNDS OF OTHERS IN AGRICULTURE; INVESTMENT MANAGEMENT SERVICES; PORTFOLIO ASSET MANAGEMENT SERVICES; THE PURCHASE AND SALE OF REAL ESTATE, SECURITIES AND COMMODITIES FOR OTHERS OR IN CONNECTION WITH FUND MANAGEMENT; AND SECURITIES AND COMMODITIES BROKERAGE AND UNDERWRITING SERVICES</p> <p>Class 037. First use: First Use: 1989/02/06 First Use In Commerce: 1989/02/06 [REAL ESTATE DEVELOPMENT SERVICES, namely, PLANNING, LAYING OUT AND CONSTRUCTION OF RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTIES FOR OTHERS]</p> <p>Class 042. First use: First Use: 1989/01/00 First Use In Commerce: 1989/01/00 [PROVIDING HEALTH CARE SERVICES TO OTHERS]</p>
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U.S. Registration No.	1576352	Application Date	05/10/1989
Registration Date	01/09/1990	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			
Description of Mark	NONE		
Goods/Services	<p>Class 016. First use: First Use: 1989/01/00 First Use In Commerce: 1989/01/00 MAGAZINES, NEWSLETTERS, PAPER FOLDERS, PAMPHLETS AND CORPORATE REPORTS CONCERNING THE INSURANCE, REAL ESTATE, FINANCIAL AND INVESTMENT INDUSTRIES</p>		

U.S. Registration No.	2497700	Application Date	12/03/1999
Registration Date	10/16/2001	Foreign Priority Date	NONE

Word Mark	ROCK SOLID IN REAL ESTATE
Design Mark	ROCK SOLID IN REAL ESTATE
Description of Mark	NONE
Goods/Services	Class 036. First use: First Use: 1992/10/00 First Use In Commerce: 1992/10/00 Real estate brokerage services; real estate leasing and management services; mortgage brokerage services; insurance consultation services; providing information in the field of real estate by means of a global computer network

U.S. Registration No.	3428504	Application Date	03/23/2006
Registration Date	05/13/2008	Foreign Priority Date	NONE
Word Mark	ROCK SOLID RETIREMENT		
Design Mark	ROCK SOLID RETIREMENT		
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2006/11/05 First Use In Commerce: 2006/11/05 Insurance and financial services, namely, insurance underwriting, administration and agency services in the fields of life, disability and long term care; pension fund and retirement plan management services, namely, investment of pension and retirement funds for others, and administration of employee pension and retirement plans; underwriting and administering annuities, defined contribution and defined benefit plans; mutual fund brokerage, distribution and investment services; investment advisory and management services; asset management services; financial planning services; investment consultation services; investment brokerageservices; securities brokerage services; commodities brokerage services; financial,[tax and]estate planning services;providing financial, insurance, and real estate information and research by electronic means; real estate brokerage andreal estate investment services; research services in the fields of finance, insurance and real estate		

U.S. Registration No.	3568475	Application Date	12/28/2007
Registration Date	01/27/2009	Foreign Priority Date	NONE
Word Mark	ROCK SOLID RELOCATION		

Design Mark	<p>ROCK SOLID RELOCATION</p>
Description of Mark	NONE
Goods/Services	<p>Class 035. First use: First Use: 2008/03/31 First Use In Commerce: 2008/03/31 Personnel, business and employee relocation services; real estate referral services, namely, referrals in the fields of real estate purchases, sales and rentals, real estate appraisals and escrow services, title search and title insurance services, furniture moving and storage services, packaging articles for transportation, and rental or leasing of trucks and moving vans; real estate brokerage franchise services, namely, offering technical assistance in the establishment and operation of real estate brokerages; business consulting services in the field of real estate brokerage management and operations; consulting services in the field of international business personnel assignments; promoting the goods and services of others by providing information to real estate brokers and agents concerning products and services available for purchase from designated vendors; arranging for incentives or discounts on the goods or services of others relating to real estate purchases, sales and rentals; providing information in the field of relocation by means of a global computer network</p>

U.S. Registration No.	3844267	Application Date	12/02/2009
Registration Date	09/07/2010	Foreign Priority Date	NONE
Word Mark	NONE		
Design Mark			

Description of Mark	The mark consists of a rock design.
Goods/Services	Class 014. First use: First Use: 2008/05/31 First Use In Commerce: 2008/05/31 Jewelry

U.S. Registration No.	3904843	Application Date	11/03/2008
Registration Date	01/11/2011	Foreign Priority Date	NONE
Word Mark	ROCK-SOLID ECO-SMART		
Design Mark	ROCK-SOLID ECO-SMART		
Description of Mark	NONE		
Goods/Services	Class 036. First use: First Use: 2009/03/00 First Use In Commerce: 2009/03/00 Insurance services, namely, insurance underwriting, administration and agency services in the fields of life, property and casualty, disability, long term care, annuities; providing insurance information and research by electronic means; re-search services in the field of insurance		

U.S. Registration No.	3908488	Application Date	11/05/2008
Registration Date	01/18/2011	Foreign Priority Date	NONE
Word Mark	PRU ROCK-SOLID ECO-SMART		
Design Mark			
Description of Mark	The mark consists of a rectangle with aleaf design and the wording "PRU" contained within it appearing to the left of the wording "ROCK-SOLID ECO-SMART".		
Goods/Services	Class 036. First use: First Use: 2009/03/00 First Use In Commerce: 2009/03/00 Insurance services, namely, insurance underwriting, administration and agency services in the fields of life, property and casualty, disability, long term care, annuities; providing insurance information and research by electronic means; re-search services in the field of insurance		

U.S. Registration No.	4392395	Application Date	04/11/2013
Registration Date	08/27/2013	Foreign Priority Date	NONE
Word Mark	GET A PIECE OF THE ROCK		

Design Mark	<p style="text-align: center;">GET A PIECE OF THE ROCK</p>
Description of Mark	NONE
Goods/Services	<p>Class 036. First use: First Use: 1975/03/03 First Use In Commerce: 1975/03/03 Insurance and financial services, namely, administration services in the fieldsof life, property and casualty, disability, long term care, and annuities; pension fund and retirement plan management services, namely, investment of pension and retirement funds for others, and administration of employee pension and retirement plans; corporate financing services; investment banking services; capitalinvestment consultation services; securities brokerage and underwriting services; mutual fund brokerage, distribution and investment services; financial clearing house services; banking services; credit card and debit card services; financial portfolio asset management services;investment advisory and management services (first use anywhere and first use in interstate commerce as early as 3/3/1975); financial planning services (first use anywhere and first use in interstatecommerce as early as 3/3/1975); estate planning services; financial informationprovided by electronic means; financialresearch services; loan financing services; mortgage financing services; real estate brokerage, leasing and management services; and real estate investment services</p>

Attachments	<p>72199610#TMSN.png(bytes) 72421992#TMSN.png(bytes) 72422008#TMSN.png(bytes) 73114969#TMSN.png(bytes) 73799460#TMSN.png(bytes) 73799098#TMSN.png(bytes) 75861936#TMSN.png(bytes) 78844242#TMSN.png(bytes) 77361255#TMSN.png(bytes) 77884383#TMSN.png(bytes) 77606158#TMSN.png(bytes) 77607518#TMSN.png(bytes) 85901437#TMSN.png(bytes) 2014-12-03 Ntc of Opposition W_Exh 1.pdf(2083820 bytes)</p>
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Amy Brozenic/
Name	Amy Brozenic
Date	12/03/2014

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In Re: Application Serial No. 86/184,144
For the Mark: ROCK SOLID INVESTMENT
Filed: February 4, 2014
Published in the Official Gazette: August 5, 2014

The Prudential Insurance Company of America)	
)	
Opposer)	
)	
v.)	Opp. No.
)	
Daryl Bank)	
)	
Applicant)	
)	

United States Patent and Trademark Office
Trademark Trial and Appeal Board
P.O. Box 1451
Alexandria, VA 22313-1451

NOTICE OF OPPOSITION

The Prudential Insurance Company of America ("**Opposer**") opposes the trademark application filed by Daryl Bank ("**Applicant**") for ROCK SOLID INVESTMENT ("**Opposed Mark**"); Application Serial No. 86/184,144 ("**Opposed Application**") filed on February 4, 2014.

Opposer, by its attorneys Lathrop & Gage LLP, respectfully asserts the following:

1. Opposer is a global leader in the financial services and insurance industry and, as detailed below, its family of ROCK and ROCK SOLID trademarks includes, but is not limited to: OWN A PIECE OF THE ROCK; PIECE OF THE ROCK; THE ROCK; GET A PIECE OF THE ROCK; ROCK SOLID; ROCK SOLID. MARKET WISE.; ROCK SOLID IN REAL ESTATE; ROCK SOLID RETIREMENT; ROCK SOLID RELOCATION; ROCK-SOLID ECO-SMART; and PRU ROCK-SOLID ECO-SMART (collectively, the "**ROCK Family of**

Marks”). Opposer’s ROCK Family of Marks constitute one of the most recognized and well-known brands in the United States.

2. Since at least as early as 1896 and continuing through the present, Opposer has used the distinctive image of the Rock of Gibraltar (the “**Rock Logo**”) as its logo in connection with its financial services and business offerings. The public has come to associate the name THE ROCK, the Rock Logo, and the ROCK Family of Marks (collectively, the “**ROCK Marks**”) exclusively with Opposer.

3. Through Opposer’s substantial sales, advertising and promotional activities, and history of successful customer relationships over the past 135 years, the ROCK Marks have come to represent the valuable goodwill and preeminent reputation of Opposer in the financial services and insurance industries.

4. Dating to long before any date upon which the Applicant can rely, Opposer’s ROCK Marks both individually and collectively have become uniquely identified with Opposer and have come to identify the services and products of Opposer exclusively.

5. More specifically, Opposer is the owner of all rights, title and interest in and to the following family of ROCK Marks registered with the United States Patent and Trademark Office: the Rock Logo (design only) (Registration Number 792,738 Registered June 13, 1965); OWN A PIECE OF THE ROCK* (words and design) (Registration Number 961,764, Registered June 19, 1973); the Second Rock Logo (design only) (Registration Number 961,765, Registered June 19, 1973); the Third Rock Logo (design only) (Registration 1,121,163, Registered June 26, 1979); PIECE OF THE ROCK* (Registration Number 1,108,211, Registered December 5, 1978); THE ROCK* (Registration Number 1,443,528, Registered June 16, 1987); ROCK SOLID* (Registration Number 1,443,527, Registered August 11, 1987); ROCK SOLID.

MARKET WISE.* (Registration Number 1,452,524, Registered August 11, 1987); the Fourth Rock Logo (design only) (Registration Number 1,616,000, Registered October 2, 1990); The Fifth Rock Logo (design only) (Registration Number 1,576,352, Registered January 9, 1990); ROCK SOLID IN REAL ESTATE* (Registration Number 2,497,700, Registered October 16, 2001); ROCK SOLID RETIREMENT* (Registration Number 3,428,504, Registered May 13, 2008); ROCK SOLID RELOCATION* (Registration Number 3,568,475, Registered January 27, 2009); the Sixth Rock Logo (design only) (Registration Number 3,844,267, Registered September 7, 2010); ROCK-SOLID ECO-SMART (Registration Number 3,904,843, Registered January 11, 2011); PRU ROCK-SOLID ECO-SMART (words and design) (Registration Number 3,908,488, Registered January 18, 2011); GET A PIECE OF THE ROCK (Registration Number 4,392,395, Registered August 27, 2013); True and correct copies of these registrations are attached as Exhibit 1.

6. The registrations identified with an asterisk above are incontestable pursuant to Section 15 of the Lanham Act, 15 U.S.C. §1065 and thus serve as conclusive evidence of Opposer's exclusive right to use the registered marks in connection with the services identified in the subject applications pursuant to Section 33(b) of the Lanham Act, 15 U.S.C. §1115(b).

7. The Rock Logo mark is registered in International Class ("IC") 036 for providing individual and group life and health insurance protection, and annuities.

8. The OWN A PIECE OF THE ROCK mark is registered in IC 036 for providing individual and group life and sickness and accident insurance protection and annuities.

9. The Second Rock Logo mark is registered in IC 035 and 036 for providing all forms of insurance protection including life, health, annuities, and reinsurance, also administrative services, corporation financing and mortgage lending services, services in

connection with investments, securities and real estate and other activities engaged in by the company directly or through subsidiaries.

10. The Third Rock Logo mark is registered in IC 036 for providing all forms of insurance protection and services incidental thereto, including life, health, annuities, and pension and profit sharing funds, property and casualty and reinsurance; also independent administrative services of the type performed in the normal conduct of its insurance or annuity operations including consultative, actuarial, data processing, accounting and claims services; corporation financing and mortgage lending services; and investment services including the purchase and sale of real estate and securities in connection with fund management; all of which are engaged in by the applicant directly or through subsidiaries.

11. The PIECE OF THE ROCK mark is registered in IC 036 for underwriting life insurance.

12. The THE ROCK mark is registered in IC 036 for insurance underwriting, administration and agency services for life, health, annuities, pension and profit sharing funds, property and casualty and reinsurance; independent administrative services of the type performed in the normal conduct of insurance or annuity operations, namely consultative, actuarial and claims services; corporation financing; mortgage origination and administration; private and public sales of loans and loan portfolios; real estate leasing and management; agricultural investment; portfolio asset management; the purchase and sale of real estate, securities and commodities for others or in connection with fund management; and securities and commodities brokerage services and underwriting services.

13. The ROCK SOLID mark is registered for a broad range of financial services, specifically in IC 036 for insurance underwriting, administration and agency services for life,

health, annuities, pension and profit sharing funds, property and casualty and reinsurance; independent administrative services of the type performed in the normal conduct of insurance or annuity operations, namely consultative, actuarial and claims services; corporation financing; mortgage origination and administration; private and public sales of loans and loan portfolios; real estate leasing and management; agricultural investment; portfolio asset management; the purchase and sale of real estate, securities and commodities for others or in connection with fund management; and securities and commodities brokerage services and underwriting services.

14. The ROCK SOLID. MARKET WISE. mark is registered in IC 036 for financial services, namely providing investment banking, merchant banking, financial management, investment management, mutual funds and fund investments, and fiduciary services for others; securities and commodities brokerage and underwriting services; capital investment services, namely providing and organizing funds for capital investments for others; financial clearinghouse services, namely trading securities for others pursuant to fully disclosed clearing agreements; financing services, namely providing and arranging for funds for others for the purchase of real and personal property; margin financing services, namely extending secured loans to others for the purpose of purchasing securities; and insurance agency services.

15. The Fourth Rock Logo mark is registered in IC 035 for administrative services, namely data processing the field of insurance claims administration and accounting services for others; and real estate brokerage franchise services, namely, offering technical advice and assistance to others in the establishment and operation of real estate brokerages. The mark is registered in IC 036 for insurance underwriting, administration and agency services for life, health, annuities, pension and profit sharing funds, property and casualty and reinsurance; independent administrative services of the type performed in the normal conduct of insurance or

annuity operations, namely consultative, actuarial and claims services; corporation financing services; mortgage lending, origination and administration services; private and public sales of loans and loan portfolios; banking services, credit card and debit card services; real estate leasing, brokerage and management services; investing the funds of others in agriculture; investment management services; portfolio asset management services; the purchase and sale of real estate, securities and commodities for others or in connection with fund management; and securities and commodities brokerage and underwriting services.

16. The Fifth Rock Logo mark is registered in IC 016 for magazines, newsletters, paper folders, pamphlets and corporate reports concerning the insurance, real estate, financial and investment industries.

17. The ROCK SOLID IN REAL ESTATE mark is registered in IC 036 for real estate brokerage services; real estate leasing and management services; mortgage brokerage services; insurance consultation services; providing information in the field of real estate by means of a global computer network.

18. The ROCK SOLID RETIREMENT mark is registered in IC 036 for insurance and financial services, namely, insurance underwriting, administration and agency services in the fields of life, disability and long term care; pension fund and retirement plan management services, namely, investment of pension and retirement funds for others, and administration of employee pension and retirement plans; underwriting and administering annuities, defined contribution and defined benefit plans; mutual fund brokerage, distribution and investment services; investment advisory and management services; asset management services; financial planning services; investment consultation services; investment brokerage services; securities brokerage services; commodities brokerage services; financial, tax and estate planning services;

providing financial, insurance, and real estate information and research by electronic means; real estate brokerage and real estate investment services; research services in the fields of finance, insurance and real estate.

19. The ROCK SOLID RELOCATION mark is registered in IC 035 for personnel, business and employee relocation services; real estate referral services, namely, referrals in the fields of real estate purchases, sales and rentals, real estate appraisals and escrow services, title search and title insurance services, furniture moving and storage services, packaging articles for transportation, and rental or leasing of trucks and moving vans; real estate brokerage franchise services, namely, offering technical assistance in the establishment and operation of real estate brokerages; business consulting services in the field of real estate brokerage management and operations; consulting services in the field of international business personnel assignments; promoting the goods and services of others by providing information to real estate brokers and agents concerning products and services available for purchase from designated vendors; arranging for incentives or discounts on the goods or services of others relating to real estate purchases, sales and rentals; providing information in the field of relocation by means of a global computer network.

20. The Sixth Rock Logo mark is registered in IC 014 for Jewelry.

21. The ROCK-SOLID ECO-SMART mark is registered in IC 036 for insurance services, namely, insurance underwriting, administration and agency services in the fields of life, property and casualty, disability, long term care, annuities; providing insurance information and research by electronic means; research services in the field of insurance.

22. The PRU ROCK-SOLID ECO-SMART is registered in IC 036 for insurance services, namely, insurance underwriting, administration and agency services in the fields of life,

property and casualty, disability, long term care, annuities; providing insurance information and research by electronic means; research services in the field of insurance.

23. The GET A PIECE OF THE ROCK mark is registered in IC 036 for underwriting life insurance.

24. The above-mentioned registrations for the ROCK Marks are valid and in full force and effect. They constitute *prima facie* evidence of Opposer's ownership and exclusive right to use the marks in commerce in connection with the goods and services specified in the registrations and place others on constructive notice of Opposer's ownership rights.

25. Through Opposer's extensive sales, advertising, promotional activities, and history of successful customer relationships over the past 135 years of operation, consumers in the financial services and insurance industry have come to know and trust the Prudential brand.

26. Opposer has used, promoted and branded its business based upon the ROCK Marks in connection with its financial and insurance services continuously since 1896, and consumers recognize the business association between the ROCK Marks and the Prudential brand.

27. Opposer's ROCK Marks are famous in the United States through its continuous use of some form of the ROCK Marks since 1896. Collectively, the ROCK Marks represent and embody the valuable goodwill and preeminent reputation of Opposer.

28. The Opposed Application was filed on February 4, 2014. It was published for opposition on August 5, 2014. Opposer is timely filing an Opposition to the registration of the Opposed Application.

29. The Opposed Application was filed with the United States Patent and Trademark Office (“USPTO”) on an intent to use filing basis and an allegation of use has not yet been filed with the USPTO.

30. The Opposed Application includes the following goods and services: IC 036 for commodities exchange services; financial asset management and investment services, namely trading, hedging, providing valuation, and financial research and consulting services in the field of precious stones; financial services, namely, commodity trading; financial asset management and brokerage services all relating to commodities; financial information services provided online from a computer database or a global computer network, namely, providing information on trading in the field of precious stones; commodity trading; providing information and data in the field of financial risk management and trading; commodity trading for others, namely, trading in precious stones; providing financial administration in the field trading in precious stones; financial services, namely, on-line real time trading of precious stones; financial analysis and research services (emphasis added); IC 035 for operating on-line marketplaces featuring precious stones; compilation, analysis and provision of information relating to the trading of precious stones; commercial and industrial management assistance, in particular by means of multimedia platforms in the field of online trading; providing business administration assistance for others in the field trading in precious stones; dissemination of business and commercial information in the field trading of precious stones via Internet and online forum facilities; providing an electronic marketplace for the trading of precious stones; providing on line electronic computer databases which provide subscribers with trade information in the field of precious stones (emphasis added); IC 014 for Diamonds; Cut diamonds; IC 042 for industrial research and analysis in the field of trading of precious stones; providing information about

computer software for use in the field of precious stones exchange trading; electronic storage and retrieval of information relating to the trading of precious stones; authentication in the field of precious stones traded via commodities exchanges (emphasis added) (collectively, the “*Opposed Goods and Services*”).

31. Applicant is not connected to Opposer in any way and has not been authorized by Opposer to use the Opposed Mark.

32. Opposer will suffer damages, including, without limitation, the loss of goodwill and dilution of the family of ROCK Marks that has taken 135 years to build up and preserve.

33. Opposer is a New Jersey Corporation located at 751 Broad Street, Newark, New Jersey, 07102.

34. Applicant upon information and belief is an individual located at 2710 SW Port St. Lucie Blvd., Port St. Lucie, Florida, 34953.

CLAIMS/ GROUNDS FOR OPPOSITION

A. Prior Use.

35. Opposer incorporates paragraphs 1 through 34, inclusive, herein.

36. The ROCK Marks are prior and senior to the Opposed Mark as detailed above. Opposer’s registrations and prior rights in the ROCK Marks as used in connection with the same or similar goods and services as the Opposed Goods and Services support denial of the Opposed Application, and the refusal of registration of Opposed Mark.

B. Likelihood of Confusion.

37. Opposer incorporates paragraphs 1 through 36, inclusive, herein.

38. The Opposed Mark, as it contains both ROCK and ROCK SOLID verbatim, so resembles Opposer's registered ROCK SOLID mark as well as the ROCK Marks that use of the Opposed Mark on or in connection with the Opposed Goods and Services is likely to cause confusion, or to cause mistake, or to deceive.

39. Opposer's ROCK Marks are incorporated in and the dominant element of the Opposed Mark. Applicant's use of the generic term "INVESTMENT" in the Opposed Mark does not distinguish the Opposed Mark from the Opposer's ROCK Marks and does not decrease the likelihood of confusion in the marketplace. Accordingly, a likelihood of confusion, mistake or deception amongst consumers is likely, as well as a loss of goodwill by Opposer should registration be granted to the Opposed Mark.

40. The Opposed Application covers services that directly overlap with the services of Opposer's registered ROCK Marks, such as commodities services, financial asset management and investment services, and financial analysis services. Moreover, the Opposed Application covers related services likely to be confused with Opposer's business.

41. Opposer has continuously and prominently used the ROCK Marks in connection with financial and investment services, and the Opposed Application covers financial and investment services, among other goods and services.

42. The Opposed Mark's goods and services and Opposer's ROCK Marks' services both target consumers in need of financial and investment services.

43. Consumers of financial and investment services will look for Opposer's ROCK Marks in order to locate Opposer's services.

44. Applicant's use of the Opposed Mark will lead consumers to mistakenly believe that Applicant's commodities and financial services are affiliated with, connected to, endorsed by or associated with Opposer.

C. Dilution.

45. Opposer incorporates paragraphs 1 through 44 inclusive herein.

46. Opposer has used a Rock Logo or a version of the ROCK Marks for 135 years making the ROCK Marks famous for financial and investment services.

47. Opposer has spent 135 years building up superb goodwill in the financial and investment industry. The use of its distinctive family of ROCK Marks is associated with that goodwill.

48. Opposer asserts the ROCK Marks are distinctive and famous, and became famous well before the filing date of the Opposed Application. The use and registration of the Opposed Mark is likely to dilute the distinctive quality of Opposer's famous ROCK Marks in violation of Section 43(C) of the Trademark Act, 15 U.S.C. §1125(c).

CONCLUSION

49. Opposer will be damaged by registration of the Opposed Mark under Section 13 of the Trademark Act, 15 U.S.C. §1063, because consumers, familiar with Opposer's ROCK Marks are likely to believe, mistakenly, that Applicant or its products emanate from, are sponsored or authorized by, or are otherwise affiliated with Opposer in violation of Section 2(d) of the Trademark Act, 15 U.S.C. §1052(d).

50. Opposer will be damaged by registration of the Opposed Mark under Section 13 of the Trademark Act, 15 U.S.C. §1063 because the use and registration of the Opposed Mark is

likely to dilute the distinctive quality of Opposer's famous ROCK Marks in violation of Section 43(c) of the Trademark Act, 15 U.S.C. §1125(c).

51. For the foregoing reasons, Applicant's Opposed Application should be denied in its entirety and registration of the Opposed Mark should be refused.

WHEREFORE, Opposer believes that it will be damaged by registration of the Opposed Mark and respectfully requests that the registration sought by Applicant be refused in its entirety.

Date: December 3, 2014

Respectfully submitted,

LATHROP & GAGE LLP

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dbarnard@lathropgage.com
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ATTORNEYS FOR OPPOSER

CERTIFICATE OF SERVICE AND ONLINE SUBMISSION

I hereby certify that a true and correct copy of this Notice of Opposition was filed online with the Trademark Trial and Appeal Board using the ESTTA this 3rd Day of December, 2014. Further, I hereby certify that the above document was deposited in the U.S. Mail, with sufficient first class postage prepaid, on the 3rd Day of December, 2014, addressed to Opposer's attorney of record:

Mr. Mark Terry
Office of Mark Terry, Esq.
801 Brickell Ave Ste 900
Miami, FL 33131-2979

By: 
Amy Brozenic

EXHIBIT 1

United States Patent Office

792,738
Registered July 13, 1965

PRINCIPAL REGISTER Service Mark

Ser. No. 199,610, filed Aug. 10, 1964



The Prudential Insurance Company of America (New
Jersey corporation)
745 Broad St.
Newark, N.J.

For: PROVIDING INDIVIDUAL AND GROUP
LIFE AND HEALTH INSURANCE PROTECTION,
AND ANNUITIES, in CLASS 102.

First use June 1, 1964; in commerce June 1, 1964;
about 1896 in a different form.

Owner of Reg. Nos. 501,706, 615,490, and 693,628.

United States Patent Office

961,764

Registered June 19, 1973

PRINCIPAL REGISTER Service Mark

Ser. No. 421,992, filed Apr. 20, 1972

"OWN
A PIECE
OF THE ROCK"



The Prudential Insurance Company of America (New
Jersey corporation)
Prudential Plaza
Newark, N.J. 07101

For: PROVIDING INDIVIDUAL AND GROUP
LIFE AND SICKNESS AND ACCIDENT INSUR-
ANCE PROTECTION AND ANNUITIES, in CLASS
102 (INT. CL. 36).

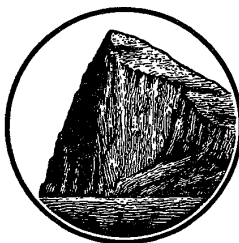
First use June 1970; in commerce June 1970.
Owner of Reg. Nos. 501,706, 792,738, and others.

United States Patent Office

961,765
Registered June 19, 1973

PRINCIPAL REGISTER Service Mark

Ser. No. 422,008, filed Apr. 20, 1972



The Prudential Insurance Company of America (New Jersey corporation)
Prudential Plaza
Newark, N.J. 07101

For: PROVIDING ALL FORMS OF INSURANCE PROTECTION INCLUDING LIFE, HEALTH, ANNUITIES, PROPERTY AND CASUALTY AND REINSURANCE; ALSO ADMINISTRATIVE SERVICES, CORPORATION FINANCING AND MORTGAGE LENDING SERVICES, SERVICES IN CONNECTION WITH INVESTMENTS, SECURITIES AND REAL ESTATE AND OTHER ACTIVITIES ENGAGED IN BY THE COMPANY DIRECTLY OR THROUGH SUBSIDIARIES, in CLASS 102 (INT. CL. 36).

First use about 1896; in commerce about 1896.
Owner of Reg. Nos. 501,706, 792,738, and others.

Int. Cl.: 36

Prior U.S. Cl.: 102

United States Patent and Trademark Office

Reg. No. 1,121,163

Registered June 26, 1979

SERVICE MARK

Principal Register



The Prudential Insurance Company of America (New Jersey corporation)
Prudential Plaza
Newark, N.J. 07101

For: PROVIDING ALL FORMS OF INSURANCE PROTECTION AND SERVICES INCIDENTAL THERETO, INCLUDING LIFE, HEALTH, ANNUITIES, AND PENSION AND PROFIT SHARING FUNDS, PROPERTY AND CASUALTY AND REINSURANCE; ALSO INDEPENDENT ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED IN THE NORMAL CONDUCT OF ITS INSURANCE OR ANNUITY OPERATIONS INCLUDING CONSULTATIVE, ACTUARIAL, DATA PROCESSING, ACCOUNTING AND CLAIMS

SERVICES; CORPORATION FINANCING AND MORTGAGE LENDING SERVICES; AND INVESTMENT SERVICES INCLUDING THE PURCHASE AND SALE OF REAL ESTATE AND SECURITIES IN CONNECTION WITH FUND MANAGEMENT; ALL OF WHICH ARE ENGAGED IN BY THE APPLICANT DIRECTLY OR THROUGH SUBSIDIARIES, in CLASS 36 (U.S. CL. 102).

First use at least as early as Sept. 11, 1976; in commerce at least as early as Sept. 11, 1976.

Owner of Reg. Nos. 501,190, 961,765 and others.

Ser. No. 114,969, filed Feb. 7, 1977.

MARK HARRISON, Examiner

Int. Cl.: 36

Prior U.S. Cl.: 102

United States Patent and Trademark Office

Reg. No. 1,108,211
Registered Dec. 5, 1978

SERVICE MARK

Principal Register

PIECE OF THE ROCK

The Prudential Insurance Company of America (New
Jersey corporation)
Prudential Plaza
Newark, N.J. 07101

For: UNDERWRITING LIFE, HEALTH, AUTOMOBILE AND HOME INSURANCE, in CLASS 36 (U.S. CL. 102).

First use at least as early as May 22, 1971; in commerce at least as early as May 22, 1971.

Owner of Reg. No. 961,764 and others.

Ser. No. 141,118, filed Sept. 14, 1977.

MARC A. BERGSMAN, Examiner

Int. Cls.: 35, 36 and 37

Prior U.S. Cls.: 100, 101, 102 and 103

Reg. No. 1,443,528

United States Patent and Trademark Office Registered June 16, 1987

**SERVICE MARK
PRINCIPAL REGISTER**

THE ROCK

PRUDENTIAL INSURANCE COMPANY OF
AMERICA, THE (NEW JERSEY CORPORATION)
745 BROAD STREET
NEWARK, NJ 07101

FOR: ADMINISTRATIVE SERVICES,
NAMELY DATA PROCESSING AND ACCOUNTING
SERVICES FOR OTHERS, IN CLASS 35 (U.S. CLS. 100 AND 101).

FIRST USE 10-14-1986; IN COMMERCE
10-14-1986.

FOR: INSURANCE UNDERWRITING, ADMINISTRATION
AND AGENCY SERVICES FOR LIFE, HEALTH, ANNUITIES,
PENSION AND PROFIT SHARING FUNDS, PROPERTY
AND CASUALTY AND REINSURANCE; INDEPENDENT
ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED
IN THE NORMAL CONDUCT OF INSURANCE OR ANNUITY
OPERATIONS, NAMELY CONSULTATIVE, ACTUARIAL
AND CLAIMS SERVICES; CORPORATION FINANCING;
MORTGAGE ORIGINATION AND ADMINISTRATION;
PRIVATE AND PUBLIC SALES OF LOANS AND LOAN

PORTFOLIOS; REAL ESTATE LEASING AND
MANAGEMENT; AGRICULTURAL INVESTMENT;
PORTFOLIO ASSET MANAGEMENT; THE PURCHASE
AND SALE OF REAL ESTATE, SECURITIES AND
COMMODITIES FOR OTHERS OR IN CONNECTION
WITH FUND MANAGEMENT; AND SECURITIES
AND COMMODITIES BROKERAGE SERVICES AND
UNDERWRITING SERVICES, IN CLASS 36 (U.S. CLS. 101 AND 102).

FIRST USE 6-21-1971; IN COMMERCE
6-21-1971.

FOR: REAL ESTATE DEVELOPMENT SERVICES,
NAMELY PLANNING, LAYING OUT AND CONSTRUCTION
OF REAL ESTATE FOR OTHERS, IN CLASS 37 (U.S. CL. 103).

FIRST USE 10-14-1986; IN COMMERCE
10-14-1986.

OWNER OF U.S. REG. NOS. 501,706, 1,121,163
AND OTHERS.

SER. NO. 630,113, FILED 11-13-1986.

NANCY O. HEBERT, EXAMINING ATTORNEY

Int. Cls.: 35, 36 and 37

Prior U.S. Cls.: 100, 101, 102 and 103

Reg. No. 1,443,527

United States Patent and Trademark Office Registered June 16, 1987

**SERVICE MARK
PRINCIPAL REGISTER**

ROCK SOLID

PRUDENTIAL INSURANCE COMPANY OF
AMERICA, THE (NEW JERSEY CORPORATION)
745 BROAD STREET
NEWARK, NJ 07101

FOR: ADMINISTRATIVE SERVICES,
NAMELY, DATA PROCESSING AND ACCOUNTING
SERVICES FOR OTHERS, IN CLASS 35 (U.S. CLS. 100 AND 101).

FIRST USE 10-14-1986; IN COMMERCE
10-14-1986.

FOR: INSURANCE UNDERWRITING, ADMINISTRATION
AND AGENCY SERVICES FOR LIFE, HEALTH, ANNUITIES,
PENSION AND PROFIT SHARING FUNDS, PROPERTY AND
CASUALTY AND REINSURANCE; INDEPENDENT
ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED
IN THE NORMAL CONDUCT OF INSURANCE OR ANNUITY
OPERATIONS, NAMELY CONSULTATIVE, ACTUARIAL
AND CLAIMS SERVICES; CORPORATION FINANCING;
MORTGAGE ORIGINATION AND ADMINISTRATION;
PRIVATE AND PUBLIC SALES OF LOANS AND LOAN

PORTFOLIOS; REAL ESTATE LEASING AND
MANAGEMENT; AGRICULTURAL INVESTMENT;
PORTFOLIO ASSET MANAGEMENT; THE PURCHASE
AND SALE OF REAL ESTATE, SECURITIES AND
COMMODITIES FOR OTHERS OR IN CONNECTION
WITH FUND MANAGEMENT; AND SECURITIES
AND COMMODITIES BROKERAGE SERVICES AND
UNDERWRITING SERVICES, IN CLASS 36 (U.S. CLS. 101 AND 102).

FIRST USE 7-12-1985; IN COMMERCE
7-12-1985.

FOR: REAL ESTATE DEVELOPMENT SERVICES,
NAMELY PLANNING, LAYING OUT AND CONSTRUCTION
OF REAL ESTATE FOR OTHERS, IN CLASS 37 (U.S. CL. 103).

FIRST USE 10-14-1986; IN COMMERCE
10-14-1986.

OWNER OF U.S. REG. NOS. 501,706, 1,121,163
AND OTHERS.

SER. NO. 630,112, FILED 11-13-1986.

NANCY O. HEBERT, EXAMINING ATTORNEY

Int. Cl.: 36

Prior U.S. Cl.: 102

Reg. No. 1,452,524

United States Patent and Trademark Office Registered Aug. 11, 1987

**SERVICE MARK
PRINCIPAL REGISTER**

ROCK SOLID. MARKET WISE.

PRUDENTIAL INSURANCE COMPANY OF
AMERICA, THE (NEW JERSEY CORPORATION)
745 BROAD STREET
NEWARK, NJ 07101

FOR: FINANCIAL SERVICES, NAMELY PROVIDING INVESTMENT BANKING, MERCHANT BANKING, FINANCIAL MANAGEMENT, INVESTMENT MANAGEMENT, MUTUAL FUNDS AND FUND INVESTMENTS, AND FIDUCIARY SERVICES FOR OTHERS; SECURITIES AND COMMODITIES BROKERAGE AND UNDERWRITING SERVICES; CAPITAL INVESTMENT SERVICES, NAMELY PROVIDING AND ORGANIZING FUNDS FOR CAPITAL INVESTMENTS FOR OTHERS; FINANCIAL CLEARINGHOUSE SERVICES, NAMELY TRADING SECURITIES FOR

OTHERS PURSUANT TO FULLY DISCLOSED CLEARING AGREEMENTS; FINANCING SERVICES, NAMELY PROVIDING AND ARRANGING FOR FUNDS FOR OTHERS FOR THE PURCHASE OF REAL AND PERSONAL PROPERTY; MARGIN FINANCING SERVICES, NAMELY EXTENDING SECURED LOANS TO OTHERS FOR THE PURPOSE OF PURCHASING SECURITIES; AND INSURANCE AGENCY SERVICES, IN CLASS 36 (U.S. CL. 102).

FIRST USE 7-3-1986; IN COMMERCE 7-3-1986.

OWNER OF U.S. REG. NOS. 961,764, 1,108,211 AND OTHERS.

SER. NO. 642,308, FILED 2-2-1987.

MARY I. SPARROW, EXAMINING ATTORNEY

Int. Cls.: 35, 36, 37 and 42

Prior U.S. Cls.: 100, 101, 102 and 103

United States Patent and Trademark Office

Reg. No. 1,616,000

Registered Oct. 2, 1990

**SERVICE MARK
PRINCIPAL REGISTER**



PRUDENTIAL INSURANCE COMPANY OF
AMERICA, THE (NEW JERSEY CORPORATION)
745 BROAD STREET
NEWARK, NJ 07101

FOR: ADMINISTRATIVE SERVICES, NAMELY DATA PROCESSING IN THE FIELD OF INSURANCE CLAIMS ADMINISTRATION AND ACCOUNTING SERVICES FOR OTHERS; AND REAL ESTATE BROKERAGE FRANCHISE SERVICES, NAMELY, OFFERING TECHNICAL ADVICE AND ASSISTANCE TO OTHERS IN THE ESTABLISHMENT AND OPERATION OF REAL ESTATE BROKERAGES, IN CLASS 35 (U.S. CLS. 100 AND 101).

FIRST USE 1-0-1989; IN COMMERCE 1-0-1989.

FOR: INSURANCE UNDERWRITING, ADMINISTRATION AND AGENCY SERVICES FOR LIFE, HEALTH, ANNUITIES, PENSION AND PROFIT SHARING FUNDS, PROPERTY

AND CASUALTY AND REINSURANCE; INDEPENDENT ADMINISTRATIVE SERVICES OF THE TYPE PERFORMED IN THE NORMAL CONDUCT OF INSURANCE OR ANNUITY OPERATIONS, NAMELY CONSULTATIVE, ACTUARIAL AND CLAIMS SERVICES; CORPORATION FINANCING SERVICES; MORTGAGE LENDING, ORIGINATION AND ADMINISTRATION SERVICES; PRIVATE AND PUBLIC SALES OF LOANS AND LOAN PORTFOLIOS; BANKING SERVICES; CREDIT CARD AND DEBIT CARD SERVICES; REAL ESTATE LEASING, BROKERAGE AND MANAGEMENT SERVICES; INVESTING THE FUNDS OF OTHERS IN AGRICULTURE; INVESTMENT MANAGEMENT SERVICES; PORTFOLIO ASSET MANAGEMENT SERVICES; THE PURCHASE AND SALE OF REAL ESTATE, SECURITIES AND COMMODITIES FOR OTHERS OR IN CONNECTION WITH FUND MANAGEMENT; AND SECURITIES AND COMMODITIES BROKERAGE AND UNDERWRITING

SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 1-2-1989; IN COMMERCE 1-2-1989.

FOR: REAL ESTATE DEVELOPMENT SERVICES, NAMELY PLANNING, LAYING OUT AND CONSTRUCTION OF RESIDENTIAL, COMMERCIAL AND INDUSTRIAL PROPERTIES FOR OTHERS, IN CLASS 37 (U.S. CL. 103).

FIRST USE 2-6-1989; IN COMMERCE 2-6-1989.

FOR: PROVIDING HEALTH CARE SERVICES TO OTHERS, IN CLASS 42 (U.S. CL. 100).

FIRST USE 1-0-1989; IN COMMERCE 1-0-1989.

OWNER OF U.S. REG. NO. 792,738.

SER. NO. 73-799,460, FILED 5-10-1989.

LISA B. SCHER, EXAMINING ATTORNEY

Int. Cl.: 16

Prior U.S. Cls.: 37 and 38

United States Patent and Trademark Office

Reg. No. 1,576,352

Registered Jan. 9, 1990

**TRADEMARK
PRINCIPAL REGISTER**



PRUDENTIAL INSURANCE COMPANY OF
AMERICA, THE (NEW JERSEY CORPORATION)
745 BROAD STREET
NEWARK, NJ 07101

FOR: MAGAZINES, NEWSLETTERS, PAPER
FOLDERS, PAMPHLETS AND CORPORATE
REPORTS CONCERNING THE INSURANCE,
REAL ESTATE, FINANCIAL AND INVEST-

MENT INDUSTRIES, IN CLASS 16 (U.S. CLS. 37
AND 38).

FIRST USE 1-0-1989; IN COMMERCE
1-0-1989.

OWNER OF U.S. REG. NOS. 792,738, 1,483,386
AND OTHERS.

SER. NO. 73-799,098, FILED 5-10-1989.

LISA B. SCHER, EXAMINING ATTORNEY

Int. Cl.: 36

Prior U.S. Cls.: 100, 101 and 102

United States Patent and Trademark Office

Reg. No. 2,497,700

Registered Oct. 16, 2001

**SERVICE MARK
PRINCIPAL REGISTER**

ROCK SOLID IN REAL ESTATE

**PRUDENTIAL INSURANCE COMPANY OF
AMERICA, THE (NEW JERSEY CORPORATION)**

**751 BROAD STREET
NEWARK, NJ 071023777**

**FOR: REAL ESTATE BROKERAGE SERVICES;
REAL ESTATE LEASING AND MANAGEMENT
SERVICES; MORTGAGE BROKERAGE SERVICES;
INSURANCE CONSULTATION SERVICES; PROVIDING
INFORMATION IN THE FIELD OF REAL
ESTATE BY MEANS OF A GLOBAL COMPUTER**

**NETWORK, IN CLASS 36 (U.S. CLS. 100, 101 AND
102).**

FIRST USE 10-0-1992; IN COMMERCE 10-0-1992.

**NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "REAL ESTATE", APART FROM
THE MARK AS SHOWN.**

SER. NO. 75-861,936, FILED 12-3-1999.

BARNEY CHARLON, EXAMINING ATTORNEY

Int. Cl.: 36

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 3,428,504

Registered May 13, 2008

**SERVICE MARK
PRINCIPAL REGISTER**

ROCK SOLID RETIREMENT

THE PRUDENTIAL INSURANCE COMPANY OF
AMERICA (NEW JERSEY CORPORATION)
751 BROAD STREET
NEWARK, NJ 07102

FOR: INSURANCE AND FINANCIAL SERVICES, NAMELY, INSURANCE UNDERWRITING, ADMINISTRATION AND AGENCY SERVICES IN THE FIELDS OF LIFE, DISABILITY AND LONG TERM CARE; PENSION FUND AND RETIREMENT PLAN MANAGEMENT SERVICES, NAMELY, INVESTMENT OF PENSION AND RETIREMENT FUNDS FOR OTHERS, AND ADMINISTRATION OF EMPLOYEE PENSION AND RETIREMENT PLANS; UNDERWRITING AND ADMINISTERING ANNUITIES, DEFINED CONTRIBUTION AND DEFINED BENEFIT PLANS; MUTUAL FUND BROKERAGE, DISTRIBUTION AND INVESTMENT SERVICES; INVESTMENT ADVISORY AND MANAGEMENT SERVICES; ASSET MANAGEMENT SERVICES; FINANCIAL PLANNING SERVICES; INVESTMENT CONSULTATION SERVICES; INVESTMENT BROKERAGE SERVICES; SECURITIES BROKERAGE SERVICES; COMMODITIES

BROKERAGE SERVICES; FINANCIAL, TAX AND ESTATE PLANNING SERVICES; PROVIDING FINANCIAL, INSURANCE, AND REAL ESTATE INFORMATION AND RESEARCH BY ELECTRONIC MEANS; REAL ESTATE BROKERAGE AND REAL ESTATE INVESTMENT SERVICES; RESEARCH SERVICES IN THE FIELDS OF FINANCE, INSURANCE AND REAL ESTATE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 11-5-2006; IN COMMERCE 11-5-2006.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RETIREMENT", APART FROM THE MARK AS SHOWN.

SN 78-844,242, FILED 3-23-2006.

DAVID TAYLOR, EXAMINING ATTORNEY

Int. Cl.: 35

Prior U.S. Cls.: 100, 101, and 102

United States Patent and Trademark Office

Reg. No. 3,568,475

Registered Jan. 27, 2009

**SERVICE MARK
PRINCIPAL REGISTER**

ROCK SOLID RELOCATION

THE PRUDENTIAL INSURANCE COMPANY OF
AMERICA (NEW JERSEY CORPORATION)
751 BROAD STREET
NEWARK, NJ 07102

FOR: PERSONNEL, BUSINESS AND EMPLOYEE RELOCATION SERVICES; REAL ESTATE REFERRAL SERVICES, NAMELY, REFERRALS IN THE FIELDS OF REAL ESTATE PURCHASES, SALES AND RENTALS, REAL ESTATE APPRAISALS AND ESCROW SERVICES, TITLE SEARCH AND TITLE INSURANCE SERVICES, FURNITURE MOVING AND STORAGE SERVICES, PACKAGING ARTICLES FOR TRANSPORTATION, AND RENTAL OR LEASING OF TRUCKS AND MOVING VANS; REAL ESTATE BROKERAGE FRANCHISE SERVICES, NAMELY, OFFERING TECHNICAL ASSISTANCE IN THE ESTABLISHMENT AND OPERATION OF REAL ESTATE BROKERAGES; BUSINESS CONSULTING SERVICES IN THE FIELD OF REAL ESTATE BROKERAGE MANAGEMENT AND OPERATIONS; CONSULTING SERVICES IN THE FIELD OF INTERNATIONAL BUSINESS PERSONNEL ASSIGNMENTS; PROMOTING THE GOODS AND SERVICES OF OTHERS BY PROVIDING INFORMATION TO REAL ESTATE BROKERS AND

AGENTS CONCERNING PRODUCTS AND SERVICES AVAILABLE FOR PURCHASE FROM DESIGNATED VENDORS; ARRANGING FOR INCENTIVES OR DISCOUNTS ON THE GOODS OR SERVICES OF OTHERS RELATING TO REAL ESTATE PURCHASES, SALES AND RENTALS; PROVIDING INFORMATION IN THE FIELD OF RELOCATION BY MEANS OF A GLOBAL COMPUTER NETWORK, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-31-2008; IN COMMERCE 3-31-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "RELOCATION", APART FROM THE MARK AS SHOWN.

SN 77-361,255, FILED 12-28-2007.

MELVIN AXILBUND, EXAMINING ATTORNEY

United States of America

United States Patent and Trademark Office



Reg. No. 3,844,267

Registered Sep. 7, 2010

Int. Cl.: 14

TRADEMARK

PRINCIPAL REGISTER

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA (NEW JERSEY CORPORATION)
751 BROAD STREET
NEWARK, NJ 07102

FOR: JEWELRY, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FIRST USE 5-31-2008; IN COMMERCE 5-31-2008.

OWNER OF U.S. REG. NOS. 1,576,352 AND 1,616,000.

THE MARK CONSISTS OF A ROCK DESIGN.

SER. NO. 77-884,383, FILED 12-2-2009.

LAKEISHA LEWIS, EXAMINING ATTORNEY



David J. Kypos

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

ROCK-SOLID ECO-SMART

Reg. No. 3,904,843

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA (NEW JERSEY CORPORATION)
751 BROAD STREET

Registered Jan. 11, 2011

NEWARK, NJ 07102

Int. Cl.: 36

FOR: INSURANCE SERVICES, NAMELY, INSURANCE UNDERWRITING, ADMINISTRATION AND AGENCY SERVICES IN THE FIELDS OF LIFE, PROPERTY AND CASUALTY, DISABILITY, LONG TERM CARE, ANNUITIES; PROVIDING INSURANCE INFORMATION AND RESEARCH BY ELECTRONIC MEANS; RESEARCH SERVICES IN THE FIELD OF INSURANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

SERVICE MARK

PRINCIPAL REGISTER

FIRST USE 3-0-2009; IN COMMERCE 3-0-2009.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-606,158, FILED 11-3-2008.

MEGHAN REINHART, EXAMINING ATTORNEY



David J. Kyffers

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office



Reg. No. 3,908,488

Registered Jan. 18, 2011

Int. Cl.: 36

SERVICE MARK

PRINCIPAL REGISTER

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA (NEW JERSEY CORPORATION)
751 BROAD STREET
NEWARK, NJ 07102

FOR: INSURANCE SERVICES, NAMELY, INSURANCE UNDERWRITING, ADMINISTRATION AND AGENCY SERVICES IN THE FIELDS OF LIFE, PROPERTY AND CASUALTY, DISABILITY, LONG TERM CARE, ANNUITIES; PROVIDING INSURANCE INFORMATION AND RESEARCH BY ELECTRONIC MEANS; RESEARCH SERVICES IN THE FIELD OF INSURANCE, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-0-2009; IN COMMERCE 3-0-2009.

OWNER OF U.S. REG. NOS. 1,443,527, 3,050,795, AND OTHERS.

THE MARK CONSISTS OF A RECTANGLE WITH A LEAF DESIGN AND THE WORDING "PRU" CONTAINED WITHIN IT APPEARING TO THE LEFT OF THE WORDING "ROCK-SOLID ECO-SMART".

SN 77-607,518, FILED 11-5-2008.

MEGHAN REINHART, EXAMINING ATTORNEY



David J. Kyfos

Director of the United States Patent and Trademark Office

United States of America

United States Patent and Trademark Office

GET A PIECE OF THE ROCK

Reg. No. 4,392,395

Registered Aug. 27, 2013

Int. Cl.: 36

SERVICE MARK

PRINCIPAL REGISTER

THE PRUDENTIAL INSURANCE COMPANY OF AMERICA (NEW JERSEY CORPORATION)
751 BROAD STREET
NEWARK, NJ 07102

FOR: INSURANCE AND FINANCIAL SERVICES, NAMELY, ADMINISTRATION SERVICES IN THE FIELDS OF LIFE, PROPERTY AND CASUALTY, DISABILITY, LONG TERM CARE, AND ANNUITIES; PENSION FUND AND RETIREMENT PLAN MANAGEMENT SERVICES, NAMELY, INVESTMENT OF PENSION AND RETIREMENT FUNDS FOR OTHERS, AND ADMINISTRATION OF EMPLOYEE PENSION AND RETIREMENT PLANS; CORPORATE FINANCING SERVICES; INVESTMENT BANKING SERVICES; CAPITAL INVESTMENT CONSULTATION SERVICES; SECURITIES BROKERAGE AND UNDERWRITING SERVICES; MUTUAL FUND BROKERAGE, DISTRIBUTION AND INVESTMENT SERVICES; FINANCIAL CLEARING HOUSE SERVICES; BANKING SERVICES; CREDIT CARD AND DEBIT CARD SERVICES; FINANCIAL PORTFOLIO ASSET MANAGEMENT SERVICES; INVESTMENT ADVISORY AND MANAGEMENT SERVICES (FIRST USE ANYWHERE AND FIRST USE IN INTERSTATE COMMERCE AS EARLY AS 3/3/1975); FINANCIAL PLANNING SERVICES (FIRST USE ANYWHERE AND FIRST USE IN INTERSTATE COMMERCE AS EARLY AS 3/3/1975); ESTATE PLANNING SERVICES; FINANCIAL INFORMATION PROVIDED BY ELECTRONIC MEANS; FINANCIAL RESEARCH SERVICES; LOAN FINANCING SERVICES; MORTGAGE FINANCING SERVICES; REAL ESTATE BROKERAGE, LEASING AND MANAGEMENT SERVICES; AND REAL ESTATE INVESTMENT SERVICES, IN CLASS 36 (U.S. CLS. 100, 101 AND 102).

FIRST USE 3-3-1975; IN COMMERCE 3-3-1975.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

OWNER OF U.S. REG. NOS. 961,764, 1,108,211, AND 1,629,441.

SER. NO. 85-901,437, FILED 4-11-2013.

ALEX KEAM, EXAMINING ATTORNEY



Leea Street Lee

Acting Director of the United States Patent and Trademark Office